



CITY OF NEWPORT BEACH TIDELANDS MANAGEMENT COMMITTEE AGENDA

Civic Center, 100 Civic Center Drive
Community Room (across from the Council Chambers)
Wednesday, March 19, 2014, 4:00 PM to 6:00 PM

Tidelands Management Committee – Council Members:

Mike Henn – Chair Nancy Gardner Ed Selich

Citizens Advisory Panel:

Linda Beimfohr Paul Blank John Corrough
Jamshed Dastur Jeff Herdman John Keating
Don Lawrenz

Staff Members:

Dave Kiff Michael Torres
Chris Miller Shannon Levin

1) **CALL MEETING TO ORDER** – Welcome and Introductions

2) **ROLL CALL**

3) **PUBLIC COMMENTS**

Public comments are invited on agenda and non-agenda items generally considered to be within the subject matter jurisdiction of the Committee. Speakers must limit comments to three (3) minutes. Before speaking, we invite, but do not require, you to state your name for the record. The Committee has the discretion to extend or shorten the speakers' time limit on agenda or non-agenda items, provided the time limit adjustment is applied equally to all speakers. As a courtesy, please turn cell phones off or set them in the silent mode.

4) **APPROVAL OF MINUTES** – December 18, 2013

5) **ON-GOING BUSINESS**

A. *Re-Cap of Harbor Commission Agenda Action Items during Previous Three Months*

Receive and file attached report. Provide comment as needed.

B. *Tidelands Capital Plan*

Receive and file Plan. (Plan will be available at the meeting.) Provide comments as needed.

This Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Committee's agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Committee. The Committee may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the City Clerk's Office at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible at (949) 644-3005 or cityclerk@newportbeachca.gov.

6) **CURRENT BUSINESS**

A. *Draft Seawall Policy - Discussion*

Staff will present information on the Balboa Island seawall project planning process.

B. *Strategic Planning vs. Tactical Response to Address Rising Ocean Levels*

Citizens Advisory Panel Member Jim Dastur will briefly compare the merits of seawall protection vs. a tidal barrier option for rising ocean levels.

C. *2014-15 DRAFT Capital Improvement Program Related to Harbor Projects Only*

Staff will review the DRAFT 2014-15 harbor related projects which are still under consideration and refinement before being presented to the Council in May.

D. *Derelict Vessels in Newport Harbor*

Staff will review the latest efforts to controlling the harbor's derelict vessels since the last update in December 2013. The Committee may consider establishing a policy on derelict vessels.

E. *Mariner's Mile Walkway – Review of Conceptual Plans from 2004*

Staff will review the conceptual plans developed in 2004 concerning the pedestrian walkway along the waterfront in the Mariner's Mile area.

7) **ROUNDTABLE OR ADDITIONAL PUBLIC COMMENTS**

8) **COMMITTEE ANNOUNCEMENTS OR MATTERS WHICH MEMBERS WOULD LIKE PLACED ON A FUTURE AGENDA FOR DISCUSSION, ACTION OR REPORT (NON-DISCUSSION ITEM)**

1. Balboa Island Bulkheads - Update

9) **DATE AND TIME FOR NEXT MEETING:**

June 18, 2014 or as needed.

10) **ADJOURNMENT**

Tidelands Management Committee

Committee Action Minutes – *DRAFT UNTIL APPROVED*

Meeting Date: Wednesday, December 18, 2013 – 4:00 p.m., Civic Center Community Room

1. The meeting was called to order at 4:00 p.m. by Council Member Henn.
2. **Roll Call:**
Council Members: Chair Mike Henn, Nancy Gardner and Ed Selich
Citizen Advisory Members: Linda Beimfohr, John Corrough, Jamshed Dastur, Jack Keating, and Paul Blank
City Staff: Dave Kiff, Michael Torres, Chris Miller and Shannon Levin
3. **Public Comments on Non-Agenda Items**
None.
4. **Minutes**
Jim Mosher noted a typographical error in the September Minutes. Committee Member Gardner made a motion to approve the Minutes with Mr. Mosher's correction, and Committee Member Selich seconded the motion which carried with all ayes.
5. **On-Going Business**
 - A. **Re-Cap of Harbor Commission Agenda Action Items during Previous Three Months**
The Committee reviewed the Harbor Commission action items. They requested that future reviews also include the specific action that the Harbor Commission took so as to complete the report. Staff agreed and will do so going forward.
 - B. **Tidelands Capital Plan**
The Committee reviewed the Tidelands Capital Plan. They requested that future reviews note exactly what changes were made. The Committee also requested that staff take another look at the projects and analyze whether they belong in the Capital expense column or the Maintenance expense column. They also requested a mid-year breakdown of what was spent, and they asked about the Dory Fleet line item and what that meant.
6. **Current Business**
(All presentations and handouts are available on the Tidelands Management Committee's webpage here: <http://www.newportbeachca.gov/index.aspx?page=2279>)
 - A. **Review the Harbor Commission's Subcommittee Report on Public Piers in Newport Harbor.**
Harbor Commissioner Paul Blank presented a report on the public piers in Newport Harbor. The report demonstrated a need for ongoing cleaning and maintenance and improvements to the existing structures such as relocation of pilings inside the floats. The presentation highlighted the areas surrounding the harbor that provide the most desirable amenities to local and visiting boaters such as restaurants/bars, marine hardware, and restrooms. Additionally Commissioner Blank noted that there are areas such as Lido Marina Village and Mariners Mile that are underserved and should be considered for future docking systems. This item will be presented at an upcoming City Council Study Session.
 - B. **California Coastal Commission Draft Sea-Level Rise Policy Guidance Document – A Brief Overview**
Harbor Resources Manager Chris Miller and Planning Manager Patrick Alford gave a brief overview of the Draft Sea-Level Rise Document, and how it could affect the City and its Local Coastal Program as noted in the PowerPoint (posted on the City's internet).

Committee Member Henn asked what the best science was, and how do we know what to follow this year, or next year, as the science changes or progresses. Are we committing to the theories of today without credence to what could progress in the future? He also wondered about berms or armaments along the coastline, and the City's ability to protect itself during major storm/high tide events. The Committee also wondered if this document would stop development altogether, and whether the Coastal Commission staff would interpret this policy as new criteria for future development permits. It was also noted that the document should not respond to the highest, maximum tidal range that could occur in 50+ years. Rather, it should focus on the near to short term tidal predictions so we can address sea level rise in more meaningful chunks.

There were no public comments.

C. Derelict Vessels in Newport Harbor

Harbor Resources Supervisor Shannon Levin reported on the ongoing derelict and abandoned vessel matters in Newport Harbor. The presentation distinguished categories for derelicts: neglected or nuisance vessels assigned to mooring permits; abandoned vessels; and impounded vessels. Part of the Mooring Management Contract with the OCSD Harbor Patrol is to monitor for derelict vessels and work to abate those. Additionally, abandoned and impounded vessels pose problems due to noticing and waiting periods and ultimately for disposal costs for those that remain unclaimed. Staff has researched two grant opportunities that will become available in the first half of 2014. The grants "Abandoned Watercraft and Abatement Fund" and "Vessel Turn-In Program" are offered under California Boating and Waterways. Receipt of grant funding will help offset disposal costs that may run as high as \$6,000 (or more) for a single vessel.

7. Roundtable or Additional Public Comments

None.

8. Committee Announcements / Future Agenda Items

City Bulkheads Update

9. Adjournment around 6:00 PM.

The agenda for December 18, 2013 Regular Meeting was posted on Wednesday, December 11 and Thursday, December 12 on the Civic Center Electronic Bulletin Board and Binder, and on the City's website.

Tidelands Management Committee Chair



CITY OF NEWPORT BEACH

Public Works Department

Harbor Resources Division

MEMORANDUM

TO: Tidelands Management Committee

FROM: Chris Miller, Harbor Resources Manager

DATE: March 19, 2014

RE: **Quarterly Review of Harbor Commission Action Items**

The Harbor Commission took action on the following agenda items during the previous three months. Detailed meeting Minutes are available here:

<http://www.newportbeachca.gov/index.aspx?page=2201>

January 2014

1. *Tsunami Action Plan – Overview of the City's Plan*

Emergency Services Coordinator, Katie Eing, reviewed the City's Tsunami Action Plan with the Commission.

Action: The Commission received and filed the report.

2. *Harbor Patrol Update*

Lieutenant Mike Jansen, Harbormaster, updated the Commission on the Harbor Patrol's operations, as well as other issues including derelict vessels, the anchorage area, noise issues with charter vessels, tsunami threats, sea lions, human and drug trafficking, and general code enforcement issues.

Action: The Commission received and filed the report.

3. *Harbor Commission 2013-14 Goals and Objectives – Mid-Year Review*

The Harbor Commission reviewed their mid-year goals and objectives with an update by each respective Commissioner on the progress made in the previous six months, and the goals for the next six months.

Action: The Commission received and filed the report.

February 2014

The Harbor Commission did not meet in February.

March 2014

1. *Lower Castaways Park – A Conceptual Review*

The Harbor Commission subcommittee reviewed the current status of the Lower Castaways Park, and received feedback from the Commission and the public.

Action: The Commission received and filed the report.

2. *Water Taxi and Multiple Vessel Mooring System*

The Harbor Commission created two Ad-Hoc Committees to evaluate: (1) A pilot program for a water taxi service in Newport Harbor; and (2) A pilot program for a Multiple Vessel Mooring System for the double point fields.

Action: The Commission discussed both of these issues, heard public input and created two Ad-Hoc committees who will report back to the Commission with their recommendations. Committee Members are:

- **Water Taxi:** Commissioners Stapleton, West and Girling
- **Multiple Vessel Mooring System:** Commissioners Avery, Duncan and Rhyne

3. *Derelict Vessel Update*

Staff presented an update on the City and Harbor Patrol's latest efforts in managing the derelict vessels in the harbor.

Action: The Commission received and filed the report.